

# TOLL BRIDGE PROGRAM OVERSIGHT COMMITTEE

CALTRANS BAY AREA TOLL AUTHORITY CALIFORNIA TRANSPORTATION COMMISSION

## CONFERENCE CALL MINUTES

May 19, 2009, 4:00 PM – 5:00 PM

**Attendees:** TBPOC Members: Will Kempton, Steve Heminger and Bimla Rhinehart  
PMT Members: Tony Anziano, Andrew Fremier, and Stephen Maller  
Participants: Beatriz Lacson, Peter Lee, Dina Noel, Gary Pursell, Pete Siegenthaler, Jon Tapping (part-time), and Ken Terpstra

Convened: 4:04 PM

Items		Action
<b>1. Self-Anchored Suspension (SAS) Superstructure</b>		
a. TBPOC/ABF Mitigation and Acceleration		
1) Contract Change Order (CCO) 108, \$45 million (Fabrication-related Compensation)		
• The Chair stated that the teleconference was convened to act on CCO 108 which reflects the discussion at the May 7 <sup>th</sup> meeting and the offer to ABF approved by the TBPOC.		
• Tony Anziano noted that CCO 108 has been discussed with ABF to ensure that the language meets their approval, and that the CCO amount remains the same as agreed to at the May 7 <sup>th</sup> TBPOC meeting, but slightly different in that:		
➤ it focuses solely on Deck Sections 1-11 (the East End will be addressed separately); and		
➤ it specifically provides \$32 million, (over and above the \$13 million-Department participation in the ZPMC incentive compensation), for direct cost of known CCO's, Notices of Potential Changes (NOPC's), and		

(continued)

Items	Action
<p>Requests for Change Orders (RFCO's) (\$10.8 million) and compensation for indirect impacts of the first four months of delay (\$21.2 million).</p> <ul style="list-style-type: none"><li>○ Per Tony Anziano, ABF has indicated that they would sign CCO 108 pending ZPMC concurrence.</li><li>● Discussion/comments included:</li><li>○ This CCO covers 120 days of Time-Related Overhead (TRO) which extends the contract by that many days.</li><li>○ It was confirmed that the CCO 108 amount of \$45 million is included in the Risk Register's \$227 million total published in the new quarterly report.</li><li>○ There is no need to change the budget as the SAS project contingency has funds available to cover this CCO.</li><li>○ Steve Heminger noted that this CCO is the first in a two-step effort toward global resolution and asked what our expectation is for the second step - how do we deal with unresolved issues and who will lead from our side.<ul style="list-style-type: none"><li>➤ Per Tony Anziano, there is a structure in place to resolve outstanding issues with Pete Siegenthaler at the helm.</li><li>➤ Andy Fremier has proposed via e-mail a paradigm change in the way our tri-agency Program deals with this and other situations in the future.</li></ul></li><li>○ The Chair indicated that the TBPOC is receptive to recommendations that the PMT can agree on how to do business going forward and effectively work as a team, e.g., shifting directional responsibilities.</li><li>○ When it was suggested that there may be a possible divergence of</li></ul>	<ul style="list-style-type: none"><li>● The TBPOC reiterated its May 7<sup>th</sup> request that the PMT submit to the TBPOC at the June 4<sup>th</sup> meeting recommendations on how to improve future operations, and additionally, provide the benefits to Andy Fremier's proposed paradigm change.</li></ul>

(continued)

Items	Action
views that require delaying decision on CCO 108 for the next meeting, the unanimous consensus was for the TBPOC to act on it now in order to proceed to the next step.	<ul style="list-style-type: none"><li>The TBPOC <b>APPROVED</b> CCO 108, as presented.</li></ul>

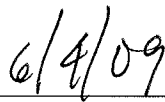
Adjourned: 4:28 PM


### CONFERENCE CALL MINUTES


May 19, 2009, 4:00 PM – 5:00 PM

#### APPROVED BY:

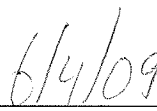
  
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**WILL KEMPTON**, Director  
California Department of Transportation

  
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Date

  
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**STEVE HEMINGER**, Executive Director  
Bay Area Toll Authority

  
\_\_\_\_\_  
Date

  
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**BIMLA G. RHINEHART**, Executive Director  
California Transportation Commission

  
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Date